

Appl. No. : 10/072,095
Filed : February 8, 2002

REMARKS

In response to the Office Action mailed July 27, 2005, Applicant respectfully requests the Examiner to reconsider the above-referenced application

Indicated Allowable subject matter

Applicant notes with appreciation that the Examiner has indicated that Claims 31-37 are in condition for allowance. In addition, the Examiner has indicated that Claims 8, 14-16, and 30 would be allowable if they are rewritten in independent form to include all the limitations of the base claim and any intervening claims.

In this amendment, Claim 8 has been canceled and Claim 1 has been amended such that it includes the limitations of Claim 8 and the intervening dependent Claim 6. Thus, Applicant submits that Claim 1 is in condition for allowance.

Claim 16 has been canceled. Claim 10 has been rewritten into independent form to include all of the limitations of the intervening claims (i.e., Claim 1, prior to this amendment, Claim 6, and Claim 16). Thus, Claim 10, as amended, is Claim 16 rewritten into independent form. Thus, Applicant submits that Claim 16 is in condition for allowance.

Claim 30 has been canceled and Claim 23 has been amended to include all the limitations of Claim 30 and the intervening dependent Claim 29. Thus, Applicant submits that Claim 30 is in condition for allowance.

With respect to Claim 14, the subject matter of this claim along with its intervening claims have been adapted into independent Claim 17, which currently stands rejected. Applicant notes that amended Claim 17 does not exactly correspond to Claim 14 being rewritten into independent form because it does not recite that the device includes a plurality of inner rotors. Nevertheless, Applicant respectfully submits that the cited art does not disclose, teach or suggest a device as recited in amended Claim 17.

With respect to Claim 15, the subject matter of this claim along with its intervening claims have been adapted into new Claim 38. Amended Claim 38 does not exactly correspond to Claim 15 being rewritten into independent form because it does not recite that the device includes a plurality of inner rotors. Nevertheless, Applicant respectfully submits that the cited art does not disclose, teach or suggest a device as recited in new Claim 38.

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Claim Rejections

Claims 1, 7, 17, 20-23 and 27 stand rejected under 35 U.S.C. 102(b) as being anticipated by Comprotek (Pub. No. 25 25 335). Claims 2, 4, 6, 9-13, 24, 26 and 29 stand rejected under 35 U.S.C. 102(b) as being anticipated by Comprotek or, in the alternative, under 35 U.S.C. 103(a) as being obvious over Comprotek. Claims 3, 5, 25 and 28 stand rejected under 35 U.S.C. 103(a) as being obvious over Comprotek.

Applicant respectfully traverses the rejection of these claims. Nevertheless, to advance prosecution in light of the indicated allowable subject matter, Applicant has chosen to amend the rejected claims as outlined above. Applicant intends to pursue the rejected claims or claims of similar scope in a continuing application.

Status Indicators

Applicant notes that in a previous amendment filed on October 28, 2004, Applicant indicated in the status indicator that claims 12-16 were being amended. However, these claims were not amended and thus the status indicator has been changed to "original."

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, Rabi Narula at (949) 721-2890, in order to resolve such issue promptly.

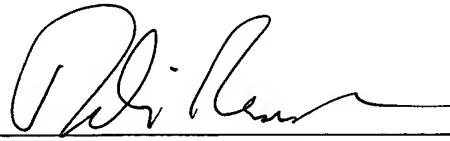
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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 1-26-06

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